

1 do so if it was permissible.

2 There were some cases I ran across where it was
3 held permissible to tell the jury that it is your duty to
4 bring in a verdict of guilty.

5 Now, Maryland, in an annotation, 72 AR -- Maryland
6 and Indiana are cited as the strong states for prohibiting
7 judges from blackjacking verdicts, and it is apparent why,
8 because we have the provision of the trier of the law and the
9 facts.

10 THE CHAIRMAN: You have one minute.

11 DELEGATE WILLONER: The other aspect which was
12 never answered, and now we are satisfied that the
13 inconsistent verdicts -- that is, in the felony murder case
14 you could not get an instruction on anything other than
15 first degree murder in a felony murder case, and therefore
16 a practice has grown up in Maryland to be prohibited.

17 I might say in an interesting case, U.S. v.
18 Anthony, where Susan B. Anthony voted, the judge directed
19 the verdict of guilty and fully discussed this problem.

20 I do think the blackjack verdict is something
21 that this body will have to decide whether it wants and